

FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

INTERIM DECISION AND ORDER

JOHN LOUIS DUFFY, M.D.
RESPONDENT.

92 MED 209

The parties to this action for the purposes of § 227.53, Wis. Stats., are:

John Louis Duffy, M.D.
1111 Aldrich Avenue
Boone, IA 50036

Wisconsin Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as an interim decision in this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent John Louis Duffy, is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license # 17494.

2. Respondent was, on June 25, 1992, summarily suspended from the practice of medicine and surgery based on a complaint which alleged that his license in the state of Minnesota had been suspended, that he is presently unable to practice with skill and safety to patients, and that he had committed unprofessional conduct. Respondent has requested that the board extend the time for hearing, and thus the period of suspension, to enable him to better prepare for hearing, and to permit him to undergo testing or evaluation and such treatment as may be appropriate.

CONCLUSIONS OF LAW

3. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to § 448.02(2), Wis. Stats.

4. The Board is authorized to enter into the attached Stipulation pursuant to § 227.44(5), Wis. Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the license of John Louis Duffy, M.D. is hereby SUSPENDED pending a final decision and order of the Board in this matter.

Dated this 23 day of July, 1992.

WISCONSIN MEDICAL EXAMINING BOARD

by: B. Ann Nevaizer
B. Ann Nevaizer, Secretary

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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
JOHN LOUIS DUFFY, M.D.	:	
RESPONDENT.	:	92 MED 209

It is hereby stipulated between the above Respondent, personally on his own behalf, and the Department of Regulation and Licensing, Division of Enforcement by its undersigned attorney as follows:

1. Respondent is aware and understands his rights with respect to the summary suspension which is in effect. In particular, respondent knows that he has the right to a hearing within 30 days of the suspension, and that such hearing is scheduled for July 20, 1982.

2. By entering into this Stipulation, Respondent voluntarily and knowingly waives the right to a hearing within 30 days of his summary suspension.

3. Respondent is aware of his right to seek legal representation and has obtained legal advice prior to execution of this Stipulation.

4. Respondent, by entering into this agreement, requests that the Board delay the hearing so that respondent may better prepare for hearing, and may undergo further testing and whatever treatment is indicated, and further requests that the suspension extend until such time as a final decision is issued in this matter by the Board.

5. Respondent agrees that an attorney for the Division of Enforcement may appear at any deliberative meeting of the Board, in open or closed session, without the presence of Respondent or Respondent's attorney, with respect to this Stipulation but that appearance is limited to statements solely in support of this Stipulation, and to answering questions asked by the Board and its staff, and for no other purpose.

Stipulation
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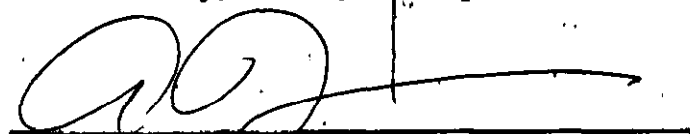
6. The Division of Enforcement joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Order.


John Louis Duffy, M.D., Respondent

20 July 97
Date


Jack S. Nordby, Attorney for Respondent

17 July 97
Date


Arthur Thexton, Prosecuting Attorney
Division of Enforcement

7/22/92
Date

NOTICE OF APPEAL INFORMATION

**(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each, and the identification
of the party to be named as respondent)**

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Medical Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Medical Examining Board.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following:

the State
of Wisconsin Medical Examining Board.

The date of mailing of this decision is July 27, 1992.